

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : Crim. No. 1:02-CR-237
: Civ. No. 1:16-CV-1242
v. :
: :
TOBIAS A. CUNNINGHAM : **Judge Sylvia H. Rambo**

O R D E R

AND NOW, upon consideration of Defendant Tobias Cunningham's Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody under 28 U.S.C. § 2255 and his related supplemental motion, (Docs. 146, 160), **IT IS HEREBY ORDERED THAT:**

1. Defendant's motion is **DENIED** for the reasons set forth in the Court's accompanying memorandum;
2. There is no basis for the issuance of a certificate of appealability; and
3. The Clerk of Court is directed to close civil case number 1:16-CV-1242.

SO ORDERED.

/s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: November 5, 2020